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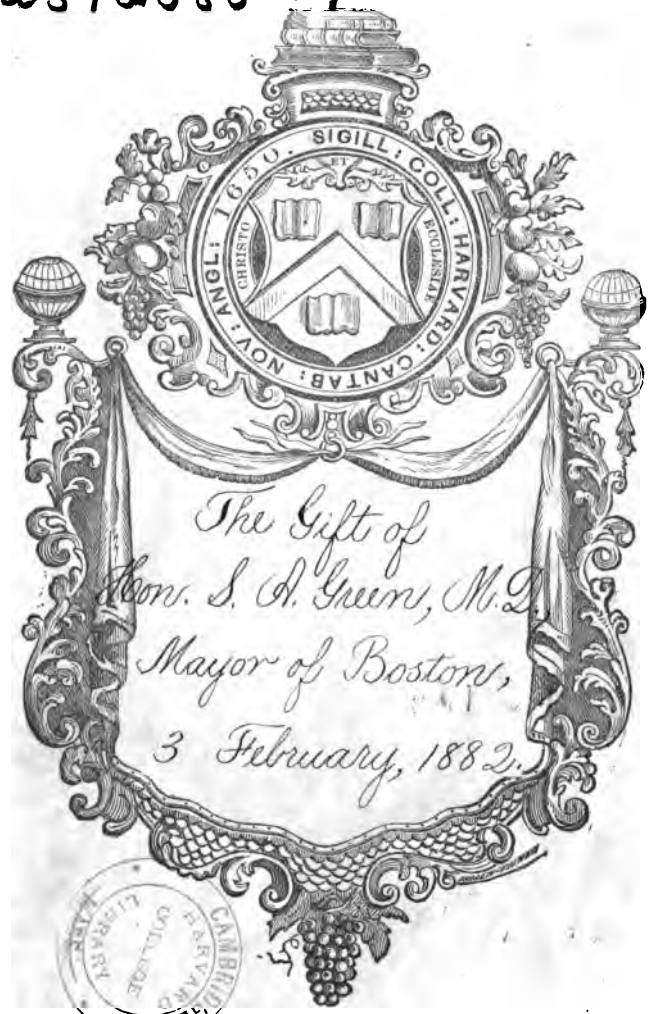
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A STUDY OF

MUNICIPAL GOVERNMENT

IN

MASSACHUSETTS.

By FRANCIS J. PARKER.

BOSTON:
C. W. CALKINS & CO.
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1882, Feb. 3.
City of
U. S. S.
of Boston.

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Municipal Government.

THE history of municipal government among Anglo-Saxon people is an exceedingly interesting study. Originally the most democratic institutions of their time, and the simple product of its necessities, they finally came to be in Great Britain almost entirely oligarchic, entirely artificial, and so intricate in their constitutions, as to be not at all understanded of the people who were once their constituent particles.

All resident householders not being bondmen, and paying scot and bearing lot, were once the burgesses and citizens, in boroughs and cities, as also the freemen in the shires. Until the time of Henry VI. of England, none of them were true corporations,* but as a rule all power was based upon the suffrage of the burgesses and emanated from their consent.

In the course of centuries of time, marked by continuous usurpations of those in authority and by indifference on the part of the people to the preservation of their privileges, the administration of the municipalities of the realm passed into the control of close corporations, until the towns were governed, as some are

*The first charter of incorporation to a municipal body was granted to Kingston-upon-Hull, 1439.

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now, without the consent of the people, and often by non-residents and strangers. A careful writer reviewing fifty years ago the history of these corporations, and discussing the possibility of such reform as it was then admitted was required, found no better remedy than to "retrace the progress of abuse, and restore the ancient simplicity of municipal institutions," and the acts of 1835 (5 & 6 W. IV. Ch. 76) began a reform in that direction and upon that basis, which has brought the greater number of the boroughs under one simple form of government.

In America we have as yet no case of gross political usurpation, such as that by which the government of the city of London has fallen into the hands of non-residents, who appropriate the funds belonging to the people to defraying the expenses of their own revels, and to the support of their friends and relatives in sinecure positions; yet we may see that the simple town government of our fathers is rapidly being converted into a piece of administrative machinery, mysterious to strangers, and by no means clearly comprehended by those who are supposed to guide and control its operations.

It cannot therefore be an unworthy subject of consideration to trace out the origin and growth of our town and city constitutions, to observe what needs they were framed to meet, to learn what has been the character of their growth, and to discover the tendency of the changes to which they have submitted.

The government of a borough in the 17th century was commonly invested in the mayor and a common council. The members of the common council were chosen sometimes by the freemen, sometimes by

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burgesses chosen by the trade guilds, and sometimes by the corporations. These councils were in most places composed of two classes, aldermen and councillors. In a few corporations the aldermen had distinct powers, and met separately as in London; in others, the distinction was merely honorary. The aldermen were chosen by the common council from their own number, and the mayor by, and generally from the aldermen; but there was considerable variety in the constitution and usages of such bodies. Originally the boroughs were composed of a body of people gathered in one locality for the convenience of carrying on their business under mutual protection. This defensive character is evident from the large number of old towns whose names terminate in *don*, *ton*, *stow*, *stal*, *stack*, *fold*, *yard*, *burg*, *borough*, *bury*, etc., all indicating enclosure.

The prime privileges of a borough were — 1, to combine for defence. 2, to hold markets and fairs. 3, to have courts independent of the shires. The close association in each place of the men connected with each separate trade, finally led to the incorporation or organization of trade guilds, which were for the most part charitable societies. In these the members came to have great pride, and at last to esteem membership in their guild above citizenship or burghers' right, although every member of the guild was then a burgher, and the great majority of the burghers were connected with some guild. Wealthy members left property to their guilds, which property and its great increase in value, tended yet farther to aggrandise the influence of the guilds, all of which in one town would sometimes be united in a "guild merchant." The result was that in times of great political disturbance, and after many contradictory decisions in the courts, and in the House of Commons, the administration of many of the boroughs fell into the

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hands of these corporations, and their members became the only electors.*

Another phase of transition was, that by a gradual process, non-residents were admitted to freedom of the guilds or of the boroughs, for a consideration in money or as a mark of honor; and the humbler members were by degrees excluded, until the control remained in persons who were or might be strangers to the trade, and non-resident in the town which was governed by their votes. No merchant tailor is now a member of the wealthy London guild of Merchant Taylors. There is no saddler in the Saddlers' Guild; indeed for one of any craft to be a member of the guild which bears its name, is the exception, not the rule. Their places are filled by wealthy and titled gentlemen, privy counsellors, judges, and distinguished men from other parts, whose kin-folk are the Tite Barnacles of the city offices, and whose membership in the guilds gives them an interest to prevent any reform.

We have seen that the origin of the great majority of the boroughs in England, as elsewhere, was in the necessity of combinations to protect and to further the interests of trade. The charter of the Company of Massachusetts Bay was "in the Royal intention and the adventurers' free profession," granted and accepted for the purpose of inviting the natives to the knowledge of the Christian faith; but it purposed to make that holy

*So far from being the representatives either of the population or the property of the town, they [the councils] do not represent even the privileged class of the freemen, and being elected for life, their proceedings are unchecked by any feeling of responsibility. — Report of Municipal Commission of 1835.

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mission not merely self-supporting, but actually profitable to the adventurers. It was in fact the charter of a trading company whose seat it was intended should be in England, where its four great and general courts were to be held each year; and because the objects of the company implied the emigration of colonists and their establishment in a distant and uncivilized land, the general court was authorized to make ordinances and instructions for the government of the colonists according to the usage of other corporations (boroughs) in the realm of England, and the officers appointed by the company in England to govern the colonists in America, had the power to punish and pardon according to the ordinances made by the company. The charter manifestly contemplated the organization of something similar to the ancient English borough, for it authorized the combination for defence, the creation of courts, and the freedom to trade, which were the original characteristics of the Saxon boroughs.

In our day the title "Governor," which was given to the chief officer of the company, conveys to the American mind the idea of a political magistrate; but in the time of Charles I., and in England even now, the nearest synonym is, "President." Thus the Honorable Robert Boyle was the first Governor of the Society for the Propagation of the Gospel among the Indian Tribes; and the chief officer of the Bank of England yet bears the title of governor.

Whether the Company of Massachusetts Bay was or was not a political or municipal body by its charter, it certainly was capable of creating such a body for the purposes of its organization. The bringing over of the charter and the establishment of it here as a political government was an after-thought, but when so established the entire administration of local affairs was

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wielded by the company, which constituted itself a municipal government such as a borough or a shire; but not upon the liberal basis of the ancient boroughs, for after a brief residence, church membership was made an essential pre-requisite for the exercise of the suffrage and for holding place.

It may be worth while to note here the curious fact that this Company of Massachusetts Bay, itself certainly not more than a municipality, and present in America in opposition to the intent, if not technically in violation of the provisions of its charter, not only became the author and ruler of subordinate municipalities, but within fifty years of its arrival actually undertook to charter a colonial government for Maine, and appointed its governor and deputies in opposition to those commissioned under the authority of the English government.

The settlement at Plymouth was made without even the shadow of corporate authority. The voyage of the Mayflower and the Speedwell was undertaken by the emigrants with the intention to settle within the bounds of the patent to the Virginia company, from which they had a license. In 1629 the Plymouth company in England granted a patent to Bradford and his associates, which patent was in 1640 surrendered by Bradford "into the hands of the whole company, consisting of the freemen of the Corporation of New Plymouth"— which in fact was not a corporation. Thus for eight years or more the only authority for the administration of government in Plymouth was the natural right of a community to establish a government where none existed before, and it is evident that that colony had no abiding faith in the technical legality of its proceedings.

It may have been from this cause that the basis of their commonwealth was broader and their acts less

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tyrannical than those of the Bay people. To be a freeman in Plymouth it was not necessary to be a church member; even Miles Standish was not a member of their church and was, it appears, rather partial to such irregularities as hunting and fowling on the Lord's day; but if he was a thorn in their flesh, he was also a thorn in the flesh of their foes, and he was one of the most influential of their magistrates. The qualifications of a freeman in the old colony were almost identical with those required of burgesses in Saxon and Norman days —submission to the common government, paying scot and bearing lot, and headship of a family.

To the uncertain authority of their general court may also in part be ascribed the fact that the development of town governments there was more reluctant and slower than in the Bay.

In both colonies the central power relinquished the direct government of their settlements only gradually, and the change of the governing authority from a borough to a colonial form was apparently a concession to the necessities of the case. At first it was the custom to assemble all of the freemen, or such of them as could attend, in each session of the general court; but when, by reason of the expansion of their plantations, this became too severe a tax upon those more distant from the seat of the court, the various precincts were allowed to send representative deputies.

In the Massachusetts, the freemen had the right at any general court to nominate, elect, or remove any one or more of the assistants, who combined in themselves the functions of their executive and judiciary. In one case they did fine the court of assistants for breach of an order passed in the general court. When the deputation of representatives was first permitted, the number of delegates from towns was not prescribed, but the

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deputies acted as proxies authorized to vote for the whole number of freemen whom they represented; the law was permissive only.

In Plymouth, when the system of deputies was adopted for the convenience of the freemen, it was provided that all ordinances should, as a rule, be propounded at one general court and stand over to the next, to be then confirmed or rejected; and even after they had been thus confirmed, the body of the freemen might at the next election repeal such acts and make others in place of them. So careful were our ancestors to keep the government always in their own control.

While these, the original municipal governments, were in process of transformation into colonial constitutions, the real towns were being developed.

There has been much controversy as to the exact date of the birth or origin of some of the earlier towns, but the creation of towns was not always in those early days a matter of intention, and it is often impossible to determine the year in which they became corporate municipalities.

Any group of farms or dwellings was called a plantation or a town, but at first all were ruled by the general courts, without the intervention of any other organized authority, even to the regulation of the pettiest affairs, such as are now left exclusively to towns and cities.

The first localized officers appear to have been the constables, who were officers of the general court, and appointed by it; but a body, called in Massachusetts "ye overseers of ye towns occasions," or, more briefly, "ye town's men," and in Plymouth, "ye committee" were evolved at an early day, probably by natural selection

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of the freemen, without any especial authority from the court.

In the Bay, towns were ordered to provide arms so early as 1631, but there was no town body to execute such an order, or upon whom it could have operated. It must, therefore, have been a general mandate to the inhabitants. In 1635 the freemen of towns were authorized "to choose their particular officers, and to make such orders as may concern the well ordering of their own towns, not repugnant to the laws of the General Court;" but there were even then no definite bounds to the towns. In 1642 the "selected town's men" were authorized to lay out town-ways, to see that children were properly governed and taught to work, to try causes in certain contingencies; and in 1647 they appear under the now familiar title of "selectmen," and then had authority as assessors.

The progress of the Plymouth colony was not so rapid in the development of towns and their government; but because that colony was older, they preceded Massachusetts in date, and it is quite probable that the experience of the former enabled the latter to proceed more speedily and more understandingly.

The "constable-rick," or "ward," is mentioned as a locality in 1633, at which time Scituate is described as a ward, and for many years the constables were *ex officiis* highway surveyors. In 1636, upon the revision of the laws, it was enacted that "the town of Plymouth, viz. the purchasers and freemen, have liberty * * * * to make such orders for their convenient subsistence as shall by them be thought meet and convenient, provided that they be not contrary to the public ordinance of the Government;" also that "Scituate be allowed the like liberties;" and in 1637, that "Ducksburrow have the privileges of a town." In 1639 towns were authorized to

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make levies, rates, and taxes for town purposes, and in the town meetings, the freeholders and heads of families, as well as the freemen, were capable of voting, although the officers chosen were required to be freemen.*

We can readily understand how the evolution would proceed. As towns grew to be more numerous and more populous, the tendency to increase the sphere of local government would grow stronger, and the duties would be divided. To the selectmen were added assessors for levying the rates, overseers for the care of the poor, and a special body in the town or school district for the supervision of school matters, until at last there resulted that excellent specimen of a little democracy known to us forty years ago as the New England town of that period.

It was a very peculiar organization; one such as no theorist ever could have formulated; in some respects a very intricate governmental machine, but yet one which worked satisfactorily. The legislation for which there was occasion, such as the by-laws and ordinances of the town, the parish, or the school district, was enacted by the qualified voters, assembled after due notice, with warning of the business to be considered; and the grants of money were made by popular vote at such meetings.

The administration was divided between several bodies almost entirely independent each of the other. The selectmen called the meetings, supervised the accounts, and constructed such roads and buildings as the town meeting ordered. The assessors valued the estates, and fixed the *pro rata* of the tax levy. The school committees in each district appointed ("hired," they were apt to term it) all teachers, and provided supplies for the

*A freeman was one who had the freedom (*i. e.* was a member) of the corporation — a corporator, a voter. The "freedom of the city" in our day, includes all the rights of a citizen.

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schools. The highway surveyors kept the roads in order, each surveyor having his own district. The overseers of the poor cared for the indigent. Besides these there were the town treasurer, town clerk, fence viewers, and cattle reeves, with other occasional officers, each for his own separate duty, and all chosen by the qualified voters who, in and by the town meetings, controlled the town affairs.

This was a government where the body of voters was the legislature, — a unit, although a cumbersome unit, — and where the executive was many-headed. It was the nearest practicable approach to a pure democracy, and in a time of universal intelligence, and when all the people interested themselves in town business, it served its purpose well.

The time came when the town meeting of Boston, by reason of its increased population, became a body too unwieldy for the satisfactory transaction of the town business, which from the same cause had become so important as to require more rather than less careful attention, and when the need of an executive head became apparent. Some remedy was necessary, and the remedy adopted was the first city charter of Massachusetts, which was as conservative as possible. The town meeting was condensed into the common (*i. e.* the commons') council, a body of delegates chosen by the people in ward meetings; the selectmen were retained under the title of "The Board of Mayor and Aldermen," the mayor having little more authority than the chairman of the selectmen previously had. The school committee and the overseers of the poor were still chosen by the voters, but the other officials were elected by concurrent vote of the two branches of the city council, or appointed by the mayor and aldermen.*

*The first project for the city charter of Boston provided for an Intendant, Selectmen, and a Board of Assistants.

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There was in the new city government a certain outward resemblance to that of the commonwealth, but the likeness was outward only. The two branches of the city council were not coördinate. The board of mayor and aldermen not only possessed legislative powers equal to those of the common council, but it was also a chief executive whose negative was an executive veto, absolute and unqualified, while the common council was indeed a "lower branch" which, having once granted the annual supplies, had but little authority or occupation.

The whole municipal history of the city of Boston and of our cities of later date, is marked by the struggles of the lower branch to acquire greater influence and to obtain a share in the executive power, and the resistance of the aldermen — constant, but on the whole, ineffectual — to any division, reduction, or dilution of their authority.

Out of these struggles we have come to the present type of city government in Massachusetts. Boston is of course in many respects exceptional, but its story must be a prophecy of the future of its younger sisters. Its constitution is a marvel of intricate political machinery. The executive authority is greatly divided, without sufficient central control to give to its operations unity and force. The mayor and aldermen, committees of the aldermen, joint standing committees of the city council, boards for the government of the schools and of charities, commissioners of streets, fire, water, and police — all are in some sort executive, and operate within the same city limits, often impeding each other, rarely consulting one another, each jealous of any interference by another, and all with no source of common direction except by a contested appeal to popular

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election or legislative interference. There is no body which possesses all the legislative power, and no body that is exclusively legislative.

As a more simple type of the city of to-day, we may take the charter of Newton — the last one organized under the laws of Massachusetts. There we find one branch of the city council which is principally, but not entirely legislative, and one which is declared to be the executive generally, but which possesses also more than equal legislative power. Of the various officers or boards charged with administrative functions, two are appointed by joint ballot; six by concurrent vote of the two branches of the city council; four by nomination of the mayor, confirmed by the aldermen; one by popular election; and one partly by each branch of the city council.

The only act (save certain nominations) of which the mayor solely is declared to be capable, is the assembling of special meetings of the two councils. He cannot convene the school committee or the overseers of the poor, except by their authority. In the board of mayor and aldermen, he has less authority than any other member. He has neither voice nor vote in the appointment or removal of the treasurer, clerk, superintendent of streets, city physician, auditor, solicitor, school committee, overseers of the poor, or assessors; nor can he for any cause remove or suspend any official without consent of the aldermen. He is *ex-officio* a member and presiding officer of the overseers of the poor and of the school committee, but as to the latter, he cannot in any way interfere in their appointments or doings except by his casting vote.

The question has been raised whether the mayor is at liberty to enter into the discussion of any subject pending before the school committee, the board of aldermen,

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or the city council in convention, of all which he is the presiding officer. Even the appointment by him of the committees of the aldermen is without authority, save such as is implied from the assent of the board; and he would seem to be excluded from any share in the care and management of public buildings and public grounds, except in so far as his assent is requisite to orders or ordinances concerning them.

In the board of mayor and aldermen is vested "the executive power of the city generally;" but that board has little or nothing to do with the execution of the school laws or the poor laws, and the common council through its influence in the committees which have supervision of various departments, shares very largely in the executive power.

The school committee is practically a third branch of the city government having powers both legislative and executive, and within its own province it is not trammelled by the veto power of the mayor. In some respects it cannot be controlled even by the action of the city council and the mayor combined.

The one redeeming feature of the charter is that by which it is provided that general meetings of the citizens may be held to instruct their representatives who, bewildered by the mazes of their form of government, it may well be believed will often stand in need of such instruction.

The legislative powers of the city government, it will be seen, are divided between several bodies, all of which possess also a greater or smaller share in the executive authority. The administration is also greatly diffused, so that power and the corresponding responsibility is scattered and uncertain — a state of affairs which is made worse by the frequent interference of the state legislature, by laws mandatory or restrictive.

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The custom of administering the city duties through standing committees is one which deserves especial condemnation as the source of mal-administration and defective government. These committees comprise all of the members of the city councils, and each committee claims and obtains the general supervision of its own department, and is jealous of any limitation or restraint upon its power or its patronage.

Of course when all the committees are moved by such feeling it is easy to effect combinations, and the common interest will often, without any formal combination, result in reciprocal aid in granting appropriations such as are not really required and would not be granted were the granting and the spending vested in entirely separate bodies.

The acknowledged value of the towns as schools in republican government consisted not at all in the perfectness of their constitution — for it was rude and crude — but chiefly in the free public discussion which characterized the deliberations of the town meetings; in the fact that every citizen as a member of those meetings was clothed with a share of the power, duty, and dignity of the local government, and that the young men learned as onlookers to be ready to perform the duty when it devolved upon them.

From the town meetings with their earnest contentions and rude oratory which were wont to attract the attention and the attendance of the public, the transition to a common council of a dozen persons and a board of aldermen of a half-dozen is a very great change. Affairs which were considered in the meeting-house or the town-hall in the presence of hundreds of people, are relegated to little chambers in which the presence of a half-score of spectators would produce the incovenience of a crowd, and the public interest declines in proportion

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to the public attendance. Real debate and forensic discussion are difficult among six or twelve men, who are also the only audience; and when even the local papers find no advantage in reporting more than the most important of its acts, the city council drops away out of the public view and soon becomes an affair of rings arranged for personal or partisan benefit.

It is not very different even in the larger cities. So uninterested is the public and so divided is the responsibility that matters drift along from bad to worse, until, under some great feeling of wrong, or in the presence of some peculiarly odious form of abuse, the people bestir themselves and overturn the *personel* of their government; after which, as if exhausted by an unusual exertion, they lapse again into their normal state of indifference, and their representatives re-form their rings instead of reforming their government.

It is not surprising that such governments should be the subject of frequent complaint. They are expensive, inefficient, intricate, and unsatisfactory; and perhaps none realize all their deficiencies more thoroughly than those who have been officially connected with them.

To criticise is easier than to create; to pull down is more simple than to build up; and yet it may be possible, hewing down to the mark of theoretical perfection, to improve upon the conglomerate institutions which we and our fathers have suffered too long. The genius of our age which revels in surmounting impossibilities must not stand aghast at the idea of the reconstruction of municipal government in New England. To patch what has already been patched too much is simply an absurdity. Real reconstruction should be thorough.

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What is required now is, what the writer already quoted found to be necessary if reform was to be effected in Great Britain fifty years ago, namely, "to restore the ancient simplicity of our municipal institutions"; — to restore, not the institutions, but the simplicity. Is this possible?

The whole fabric of American government is based upon popular suffrage and democratic rule, and our town governments must therefore be popular and democratic, as they were in the olden time. The making of by-laws and ordinances, and the granting of appropriations, must be again separated from the administration and execution of the laws and the expenditure of moneys granted, — a separation so important that the Bill of Rights of the Commonwealth, Article XXX., enjoins it upon the government of the State, in the most emphatic terms, "to the end it may be a government of laws, and not of men." Not less important is it that, in the interest of simplicity, all legislative power should be entrusted to one body and that the executive responsibility should also be made a unit.

When, by reason of the increase of population, the town meeting becomes too cumbersome, it may be reduced in bulk without attenuating it to a point, or dividing it into rival chambers. The body which is to replace and represent the gathered mass of citizens should itself be numerous. In either of many ways provision may be made which will ensure the representation of all interests and ideas among the citizens. The constituencies may be made small, or may be different; terms of office may be arranged to expire at diverse times, or cumulative voting may be permitted; none of these, however, are essential, or more desirable to the form now proposed, than to the existing or any other constitutions.

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Any of these expedients may be extended or reinforced, or possibly may be supplanted by a provision which shall authorize any member of the city council to appoint in writing any citizen properly qualified, to act at a meeting of the body as his proxy, with power to speak as the elected member could do if personally present. Under such a provision, whoever has matters of importance to present to the city legislature may, as the proxy of a friend, who absents himself perhaps for the purpose, appear and advocate his cause on the floor of the council as the peer of its members, and will have no occasion to resort to lobbying, or wait for public hearings, in either of which cases his position must be that of an inferior and a suppliant. How can such permission be harmful? It was the right of every citizen to argue his own cause, or to present his views in the town meeting, and it is merely proposed to boil down the town meeting.

The city council should consist of one chamber only, as it does in the greater part of the city governments in this country and Great Britain, and as it did with us when the town meeting was our legislature. Who, then, would have dared to propose that the selectmen should have the power to veto the acts of the people? Why should such an opportunity for jealousy and bickerings be permitted, to the impediment of the public business? A qualified veto in the mayor would be sufficient check upon too hasty action.

The city council should be the only legislative body of the municipality. To it, with its increased numbers, may be confided all the legislation required for the schools or the poor, and it may well replace both the boards which now govern those departments. For many years the school boards and the overseers of the poor have been undergoing an important change—executive

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duties have been devolved upon the superintendent or supervisors of schools, and upon the almoner, and the boards have become to a considerable extent advisory or controlling bodies only.

The city council should not only be the sole legislature, but it should be legislative only. No executive duty should be imposed upon it, except such as is implied by the power of confirming or rejecting the nominations of the mayor; and to prevent the growth in it of executive influence through its committees, there had best be no standing committees whatever. A body so numerous, and so accessible to argument, will have less occasion for committees than the city councils as now organized. Petitions and applications would naturally be referred to the chiefs of departments, whose reports to the council would supply information and advice. These reports, supplemented by verbal statements, the result of interpellations, would supply all that the council would need for its decision in simple cases. In special cases, special committees would be appointed, and the members, being selected with reference to a particular matter, would probably be peculiarly fitted to deal with the subject.

No member of the administrative staff should be eligible as a councillor, and no person elected to the council should be capable of holding office under the city government during the term for which he was chosen.

The council chamber should have ample space for the accommodation of spectators, and all of its sittings should be public. Upon the floor provision might be made for the attendance of the chiefs of the administrative departments who, when their attendance is commanded by the council, should have the right to mingle in the discussion of matters relating to their departments, and who, when otherwise present, might be permitted to do

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the same by special vote of the chamber to that effect. It is better that such opportunity for influencing the legislative body be permitted, than that the officials of the city should be compelled to resort to button-hole opportunities for representing the situation of the city's affairs to the city's representatives.

Might we not reasonably expect that a body so constituted, and exercising in itself the whole legislative power of the city, would command the respect of the people? Would not membership of such a council be acceptable to all who desired to be of service to the public? Who, that would be willing now to accept service as an alderman, councillor, or on the school committee, would hesitate to accept a position so much more influential, and in which he could address himself in argument to a body far more dignified and deliberative than the little boards of to-day or the old town meeting? Would not aspirants for political life there find profitable training for success in other fields?

For the proper execution of the orders and ordinances, one person, the mayor, should be responsible to the people and their representatives, and, because he could not be held responsible for what is beyond his control, every chief of department, whether that chief be an individual or a commission, should be appointed by the mayor—the council confirming—and should be removable for cause—the council consenting. The chief executive of the city should be entirely separate from the legislative body, not even presiding over it, and should communicate with it in writing only. It should be his duty to see that all laws are faithfully executed, and to advise the council when additional legislation is required.

The more important of the salaried subordinates in each department should be appointed by the chief of that department, with the approval of the mayor; but

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temporary employees might be engaged and discharged by the authority of those chiefs alone.

If there is ever to be reform in the civil service of America it must begin nearer the people than Washington, and the first point to be aimed at must be the prohibition of arbitrary removals.

f it were possible that in some one city and under favorable auspices, an experiment could be tried of such government as has been outlined above, there would doubtless appear points in which improvements would be possible; but it can hardly be doubted that the simplicity and popular character of such a charter would commend itself finally to the judgment of the people for whose benefit all governments are; and it may also be expected that in favor of a legislature so democratic, the state authorities would relax somewhat of their strict control, allowing to the city councils the privilege of so dividing the duties to be performed by each municipality as the peculiar circumstances of each might indicate to be desirable. The great object of government is that the right thing should be done at the proper time, and it would seem that the local government is the one which would be able to accomplish this rather than the more distant and pre-occupied officials of the Commonwealth.

The manner of municipal growth by the routine, or following the ruts into which we have fallen, is to retain the town organization intact until it is no longer possible, and then to change it abruptly for an entirely different organization.

Why may not a town grow slowly into a city, and develop itself—not hap hazard as Boston has done, but according to a gradual scale and an elastic system? Is

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the tax of attendance upon frequent town meetings s: great as to enforce the absence of busy men, or is t assembly so great as to verge u a mob?—it is a simple and sensible remedy for e voters, or every one hundred voters to agree upon shall represent them, and these representatives constitute a town council with the authority of the town meeting, and for a time nothing else need be changed.

As the growing interests of the town require and can afford more close and more professional attention, the schools may be placed under a board, the road department under a chief, and several smaller departments may be grouped under one supervisor, and all be made responsible to one authoritative mayor. As the municipality develops into a great city, departments may be divided, and their immediate supervision may be entrusted to boards of commissioners; not, as now, almost independent of the city government, but to be absolutely bound by such rules as the council may prescribe, and always subject to the official inspection of one chief executive magistrate, who is responsible for all to the council, and to his and their constituents. And perhaps at last, the council itself may be divided into two branches equal in power and in authority, but composed of members chosen from varied constituencies and districts.

No reform of municipal government in this commonwealth can be satisfactory, except one based upon the separation of executive and legislative functions; and none will be thoroughly effective which does not reduce each of those functions to be at unity in itself.

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